

## HUMAN SERVICES BOARD

# INTRODUCTION

## FINDINGS OF FACT

2. On or about July 18, 2008, petitioner asked the Department for financial help through the General Assistance Program. A requirement of the General Assistance Program is that applicants access other income and resources first. In petitioner's case, the Department required her to apply for

RUFA benefits. Petitioner was found eligible for RUFA benefits on July 18, 2008; these benefits included \$106 for the remainder of July and \$595 for August.

3. The RUFA program requires applicants and recipients to assign their child support rights to the state. On or about July 18, 2008, the petitioner signed a Child Support Authorization. Said authorization informed petitioner that:

The state keeps assigned amounts up to the total amount of public assistance you received at any time for all children in your household. This means any support owed to you will now become owed to the state including:

- Current support. . .
- Past due support or arrears. . .
- Support judgment. . .

4. Petitioner had received RUFA in the past (most recently for a period of July 23, 2007 to December 1, 2007).

5. During the beginning of August 2008, the noncustodial parent paid his child support arrearage to the Office of Child Support. The child support arrears were recouped by the Department for current and past RUFA benefits paid to petitioner.

6. Petitioner's grant was closed on August 31, 2008. Petitioner disagreed with the child support recoupment and requested a fair hearing.

ORDER

The Department's decision is affirmed.

REASONS

The federal government requires the states as a condition for receipt of federal monies for the TANF program (RUFA in Vermont) to require recipients of assistance to assign their support rights to the State. 42 U.S.C. § 608(a)(3). The child support assignment gives the state a claim for current support as well as a claim for any arrears owed to the family. 42 U.S.C. § 657(a)(1) and (2); Welfare Assistance Manual (W.A.M.) § 2331 and § 2333.3.

As the Department's actions were in accord with applicable federal and state law, the Department's decision is affirmed. 3 V.S.A. § 3091(d); Fair Hearing Rule No. 1000.4(D).

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